IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 1ST NOVEMBER 2007 / 10TH KARTHIKA 1929

LA.App..No. 453 of 2001()

LAR.164/1997 of ADDL.SUB COURT,PARAVUR
.....

APPELLANT: RESPONDENT

STATE OF KERALA

BY GOVERNMENT PLEADER SMT.K.R.DEEPA
SRI.RAJAN JOSEPH, ADDL.A.G.

RESPONDENTS: CLAIMANTS
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1. **RENJITH S/O. GEORGE, MAZHUVANCHERY PARAMBATH, PERUMPADANNA.**

2. **JACOB S/O. VARGHESE, MAZHUVANCHERY PARAMBATH, PERUMPADANNA.**

3. **VARGHESE, S/O. JACOB, VAZHAPPILLY PARAMBATH, PERUMPADANNA.**

BY ADV. SRI.T.R.ASWAS
SRI.ANIL KUMAR SREEDHARAN
SRI.B.RAMACHANDRAN

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 01/11/2007, ALONG WITH LAA. 69/2002 AND CONNECTED CASES THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

LAA. 453/2001

ORDER ON I.A. NO.3058/2004 IN LAA. NO.453/2001

DISMISSED

01.11.2007 **SD/- KURIAN JOSEPH, JUDGE**

SD/- HARUN-UL-RASHID, JUDGE

/TRUE COPY/

P.S. TO JUDGE

tss

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.453, 576 & 1048 of 2001
69, 1004 & 1305 of 2002
446 of 2003
Cross objection 33/2003 in LAA 576/2001 and
Cross objection 141/04 & 3/06 in LAA 453/2001

Dated: November 1, 2007

JUDGMENT

Kurian Joseph, J.

The State is aggrieved by the fixation of market value by the Reference Court in these cases. The acquisition pertains to NH-17 at North Paravur. It is seen that in LAA No.1531 of 2000 this court has sustained the enhancement at the rate of 60% over and above the value fixed by the land acquisition officer. In view of the judgment as above, these appeals are dismissed.

2. The cross-objectors have a grievance that they have not been granted interest on solatium and other statutory benefits. Since it is now settled law that the claimants are entitled to have all the statutory benefits including interest on solatium, we make it clear that in case such benefits have not been granted to the claimants, to the extent required, the judgment and decree stands modified declaring that the claimants shall be eligible for all statutory benefits including interest on solatium.

KURIAN JOSEPH, JUDGE

HARUN-UL-RASHID, JUDGE

mt/-

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.453, 576 & 1048 of 2001
69, 1004 & 1305 of 2002
446 of 2003
Cross objection 33/2003 in
LAA 576/2001 and
Cross objection 3/2006
in LAA 453/2001

JUDGMENT

1.11.2007